

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. : _____
	:	
v.	:	DATE FILED: _____
	:	
NICHOLAS MONTGOMERY	:	VIOLATION:
	:	21 U.S.C. § 846 (conspiracy to
	:	possess with intent to distribute 5
	:	kilograms or more of cocaine - 1 count)
	:	21 U.S.C. § 841(a)(1), (b)(1)(A) (possession
	:	with intent to distribute 5 kilograms or
	:	more of cocaine - 1 count)
	:	21 U.S.C. § 841(a)(1), (b)(1)(C) (possession
	:	with intent to distribute cocaine - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about 2000 to on or about September 19, 2007, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

NICHOLAS MONTGOMERY

conspired and agreed, with others known and unknown to the grand jury, including Francis Joseph Fulmer, charged elsewhere, to knowingly and intentionally possess with intent to distribute five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was a part of the conspiracy that:

2. The defendant stored and possessed inside 2834 Longshore Avenue, Philadelphia, Pennsylvania, more than five kilograms of cocaine, which he intended to deliver and sell to others in the Philadelphia, Pennsylvania area.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in Philadelphia, in the Eastern District of Pennsylvania and elsewhere:

1. On or about September 19, 2007, defendant **NICHOLAS MONTGOMERY** and coconspirator Francis Joseph Fulmer possessed for distribution approximately 6.4 kilograms of cocaine at 2834 Longshore Avenue.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 19, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

NICHOLAS MONTGOMERY

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, five kilograms or more, that is, approximately 6.472 kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 16, 2008, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

NICHOLAS MONTGOMERY

knowingly and intentionally possessed with intent to distribute approximately 437.55 grams of a
mixture and substance containing a detectable amount of cocaine, a Schedule II controlled
substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

A TRUE BILL:

FOREPERSON

LAURIE MAGID
Acting United States Attorney